



DRAFT MINUTES

OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE

LEGISLATURE

Thursday, September 5, 2019 | 8:30 a.m. | 450 State Capitol

Members Present:

Sen. Todd Weiler, Chair
Rep. Norman K. Thurston, Chair
Sen. Wayne A. Harper
Sen. Karen Mayne
Rep. Susan Duckworth
Rep. Marc K. Roberts

Ms. Evelyn Everton
Mr. Dana T. Farmer
Mr. Merlin Taylor

Staff Present:

Mr. Adam J. Sweet, Policy Analyst
Mr. Peter Asplund, Associate General Counsel
Ms. Leila Reynolds, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Weiler called the meeting to order at 8:37 a.m.

1 . Committee Business

MOTION: Rep. Thurston moved to approve the minutes of the November 1, 2018 meeting. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Ms. E. Everton
Mr. D. Farmer
Sen. K. Mayne
Rep. M. Roberts
Mr. M. Taylor
Rep. N. Thurston
Sen. T. Weiler

Nays-0

Absent-2

Rep. S. Duckworth
Sen. W. Harper

2 . Sunrise Review for Sleep Technologists

Sen. Jani Iwamoto, introduced Dr. Krishna M. Sundar, Medical Director and Professor of Medicine, Sleep-Wake Center, University of Utah.

Dr. Sundar presented the application for licensure of sleep technologists, and introduced other stakeholders.

Dr. Robert J. Farney, Professor of Medicine, Sleep-Wake Center, University of Utah, introduced himself and explained the reasoning behind seeking licensure of sleep technologists.

Rep. Thurston asked questions of Dr. Farney

Leslie Williams, RPSGT, CCSH, RST, Sleep-Wake Center, University of Utah, also answered Rep. Thurston's question.

Dr. Farney continued answering Rep. Thurston's questions.

Leslie Williams presented on the matter of sleep technologists and why certification is being sought.

The committee asked questions of Leslie Williams.

Dr. Farney expanded on harm that can come from inappropriate treatment by sleep technologists and answered follow-up questions from the committee.

Chair Weiler asked questions of Leslie Williams.

Dr. Earl Fulcher, Director of Respiratory Services, University of Utah Health, further explained how national board licensure works and how they are seeking a minimum level of certification across the state with the application for state licensure.

Dr. Fulcher answered questions from the committee

Leslie Williams presented recommendations for licensing.

Leslie Williams and Dr. Furcher answered questions of the committee.

Sen. Iwamoto asked the committee what the next steps are for the licensure application.

Chair Weiler had Adam Sweet review the sunrise review criteria found in statute.

Chair Weiler opened the meeting to public comment.

Kevin Greene, Americans for Prosperity Utah, spoke against creating a sleep technician license.

The committee asked questions of Kevin Greene.

Leslie Williams responded to the matter of the obligation, or lack thereof, of employers responding to why an employee was fired.

Rep. Thurston brought up the option of a registry as a way to track why a sleep technician was let go from employment at a sleep center.

Dr. Fulcher asked Rep. Thurston how a registry would work.

Dr. Farney made comments in response to Kevin Greene, as well as commenting on the requirements on getting licensed.

Dana T. Farmer answered questions regarding why employers do not respond as to why an employee was terminated, why national registries would not want to create anti-trust lists, and asked a question of the presenters.

Sen. Mayne asked a question of Kevin Greene.

MOTION: Sen. Mayne moved to support the application for licensure of sleep technicians.

The committee made comments regarding the licensing of sleep technologists.

Merlin Taylor second the motion Sen. Mayne made.

Rep. Duckworth spoke in support of the motion.

Rep. Thurston commented on the issue of identifying bad actors within the profession of sleep technologists.

SUBSTITUTE MOTION: Rep. Thurston made a substitute motion to recommend the Business and Labor Interim Committee explore possible options of tracking bad actor sleep technicians within the field, including but not limited to creating a registry.



Rep. Duckworth asked a question of Adam Sweet regarding whether or not DOPL would be required to monitor a bad actor registry if one was made.

Adam Sweet responded to Rep. Duckworth's question.

Rep. Duckworth made comments on why licensing would be a better option to a registry and supported the original motion.

Sen. Iwamoto made a closing statement regarding licensing sleep technicians and their support for the original motion.

SUBSTITUTE MOTION: Rep. Thurston moved to have the Business and Labor Interim Committee explore options, including licensing and a registry, on how to track and communicate bad actors within in the sleep technician field. The substitute motion failed with a vote of 4 - 5 - 0.

Yeas-4

Ms. E. Everton
Sen. W. Harper
Rep. M. Roberts
Rep. N. Thurston

Nays-5

Rep. S. Duckworth
Mr. D. Farmer
Sen. K. Mayne
Mr. M. Taylor
Sen. T. Weiler

Absent-0

Sen. Iwamoto gave support to the original motion.

MOTION: Sen. Mayne moved to support the application for the licensure of sleep technicians. The motion failed with a vote of 4 - 5 - 0.

Yeas-4

Rep. S. Duckworth
Mr. D. Farmer
Sen. K. Mayne
Mr. M. Taylor

Nays-5

Ms. E. Everton
Sen. W. Harper
Rep. M. Roberts
Rep. N. Thurston
Sen. T. Weiler

Absent-0

3 . Review of Licensed Lawful Occupations

Adam Sweet explained how the committee's statutes requires the committee to review each lawful licensed occupation every 10 years and how the committee has invited each department that has licensed occupations to present an overview to the committee in the past year and half. 9 out of the 11 departments have presented.

Rep. Thurston explained his interest in hearing the committee's opinions on what to do going forward on the matter of having the departments present overviews and what to do about the departments that have yet to present.

The committee discussed the matter and asked clarifying questions to committee staff.

4 . Practice of Barbering

Rep. Thurston explained the issue on the minimum requirements that blow dry bar employees are required to have in order to only style hair; and the licensure requirements involved with eyelash extensions and how many schools don't even offer it as part of their curriculum.

Sen. Harper assumed the chair.

The committee discussed the matter.



Acting Chair Harper opened the meeting to the public.

Brenda Scharman does not support the option of studying the possibility of reducing the required hours for licensing for either blow dry stylists or lash extensions.

Natalie Parkin, owner of Skinworks School of Advanced Skincare, does not support the reduction of hours for licensing for either hair styling for blow dry bars and lash extensions.

The committee discussed the matter.

Sen. Weiler resumed the chair.

The committee asked questions of Brenda Sharmin and Natalie Parkin.

MOTION: Rep. Thurston moved to open a committee bill file on the practice of barbering and cosmetology and how it relates to the practices of blow dry styling and lash extensions. The motion failed with a vote of 3 - 5 - 1.

Yeas-3

Ms. E. Everton
Mr. M. Taylor
Rep. N. Thurston

Nays-5

Rep. S. Duckworth
Mr. D. Farmer
Sen. W. Harper
Sen. K. Mayne
Sen. T. Weiler

Absent-1

Rep. M. Roberts

5 . Other Items/Adjourn

MOTION: Rep. Duckworth moved to adjourn. The motion passed with a vote of 9 - 0 - 0.

Yeas-9

Rep. S. Duckworth
Ms. E. Everton
Mr. D. Farmer
Sen. W. Harper
Sen. K. Mayne
Rep. M. Roberts
Mr. M. Taylor
Rep. N. Thurston
Sen. T. Weiler

Nays-0

Absent-0

The committee adjourned at 10:42 a.m.